

Application # 09/921,542  
RCE Preliminary Amendment dated March 6, 2006  
Reply to Final Office Action dated March 15, 2005

**PATENT**  
**P-5204**

**Amendments to the Claims:**

This listing of the claims will replace all prior versions, and listings, of claims in the application.

1. – 18. (Cancelled)

19. (New) A system comprising:

a plurality of sample vessels, each of the sample vessels comprising a growth medium and a stirrer, the stirrer capable of being influenced by a magnetic force; and  
an incubation and measurement module comprising

at least one panel comprising a plurality of openings for holding the sample vessels, and

a magnet driver comprising a plurality of magnets,

wherein each of the openings corresponds with one of the magnets, wherein the magnet driver is adapted to repeatedly move each magnet proximate to and distant from the surface of a corresponding sample vessel when located in the corresponding opening, and wherein the openings are configured to hold the one or more sample vessels such that the longitudinal axis of the vessels are at an angle of less than 90° with the horizontal.

20. (New) The system of claim 19, wherein the plurality of openings are arranged in at least one row and at least one column.

21. (New) The system of claim 19, wherein during operation of the magnet driver, the movement of the magnet imposes a magnetic influence on the stirrer in the corresponding sample vessel to move the stirrer.

22. (New) The system of claim 19, wherein the magnet driver further comprises:  
a magnet shaft assembly comprising a shaft and the plurality of the magnets attached to the shaft, and

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a motor engaged with the shaft to rotate the magnet shaft assembly and move the magnets proximate to the outer surface of the corresponding sample vessel and distant from the outer surface of the corresponding sample vessel.

23. (New) The system of claim 19, wherein upon operation of the magnet driver, the magnetic influence moves the stirrer element along a side wall of the sample vessel.

24. (New) The system of claim 19, wherein the magnet driver and magnets are arranged such that, during a portion of the movement of the magnets, gravity moves the stirrer element toward a bottom of the sample vessel.

25. (New) The system of claim 19, wherein the angle is about 15° to about 25°.

26. (New) The system of claim 19, wherein the sample vessels are sample vials.

27. (New) The system of claim 19, wherein the incubation and measurement module further comprises a housing, and at least one door.

28. (New) The system of claim 19, wherein the magnet driver comprises:  
a magnet shaft assembly comprising a shaft and a plurality of magnet assemblies,

wherein the plurality of magnet assemblies are coupled to the shaft, the magnet assemblies being discreet components or discreet parts of a single component or a combination thereof,

wherein the magnet assemblies comprise a first magnet coupled to and extending from the shaft at a first angle, and a second magnet coupled to and extending from the shaft at a second angle, and

wherein the first magnet corresponds with a first of the one or more openings and the second magnet corresponds with a second of the one or more openings adjacent to the first of the one or more openings.

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29. (New) The system of claim 28, wherein the magnets of adjacent magnet assemblies are orientated approximately 180° with respect to each other about the shaft.

30. (New) The system of claim 28, wherein the magnet shaft assembly is located in the module such that each of the magnet assemblies is located between two of the sample vessel openings.